

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:02-00172

GUY PRESTON HALE, JR.

MEMORANDUM OPINION AND ORDER

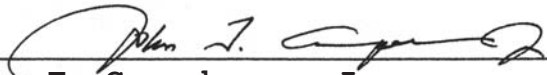
Pending are defendant's pro se motions for reconsideration filed May 8, June 2 and October 31, 2008, seeking reconsideration of the court's order entered on April 11, 2008, granting his motion filed on February 22, 2008, which motion was filed pursuant to 18 U.S.C. § 3582(c)(2) and based upon the November 1, 2007, amendment to U.S.S.G. § 2D1.1, which the United States Sentencing Commission made retroactive effective March 3, 2008.

Inasmuch as defendant's motions do not provide grounds for reconsideration of the April 11, 2008, memorandum opinion and order, the court ORDERS that the motions for reconsideration be, and they hereby are, denied.

To the extent the defendant seeks further relief, pursuant, inter alia, to Blakely, Kimbrough and Booker, it is ORDERED that his request be, and it hereby is, denied. See United States v. Dunphy, 551 F.3d 247 (4<sup>th</sup> Cir. 2009).

The Clerk is DIRECTED to send a copy of this written opinion and order to the defendant, the United States Attorney, the Federal Public Defender, and the United States Probation Office.

ENTER: March 16, 2010

  
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John T. Copenhaver, Jr.  
United States District Judge